

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
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EVENT#: 171001-3519

SPECIFIC CRIME: ACTIVE SHOOTER / MURDER

DATE OCCURRED: 10-01-17

TIME OCCURRED: 2208 HOURS

LOCATION OF OCCURRENCE: MANDALAY BAY RESORT AND CASINO
3950 S. LAS VEGAS BOULEVARD
LAS VEGAS, NV 89119

CITY OF LAS VEGAS

CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: OFFICER MIKE TOLBERT (MT), P# 13136

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by DETECTIVE B. PENNY (BP), P# 6042, LVMPD FORCE INVESTIGATION TEAM, on 10-03-17 at 1259 hours.

BP: Operator, this is Detective Penny with the Force Investigation Team, conducting a recorded interview with Officer Mike Tolbert - T-O-L-B-E-R-T. His P# is 13136. Call sign is 3 - Ida - 43. Date of hire is [REDACTED] Works out of South Central Area Command. Squad is South Central 33. He's off Tuesday, Wednesday, Thursday - works 1430 to 0030. Vehicle number the night of the incident is gonna be 10685 from South Central. This interview is in reference to an active shooter event which occurred on October 1, 2017 at, uh, 2208 hours at Mandalay Bay - 3950 South Las

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Vegas Boulevard - specially the 32nd floor. Uh, today's date is October 3 of 2017 - current time is 1259 hours. This statement is being recorded at Mandalay Bay on the 32nd floor. Um, there's no other persons present. Uh, Officer Tolbert, you go by Mike, right?

MT: Yes.

BP: Okay, you aware this is being recorded?

MT: Yes.

BP: Okay, uh, before we get started. The night of the incident you were on duty and you were wearing the standard LVMPD uniform. Can you just describe that for me?

MT: That's correct. Uh, long sleeve tan uniform. Uh, I was wearing a badge, I had a body camera and I had my, uh, full duty belt.

BP: Okay, so you're readily identifiable as a uniform police officer?

MT: That's correct.

BP: And so you're working patrol that night. Um, the night of the active shooter, um, that occurred at Mandalay Bay.

MT: Yes.

BP: Can you tell me what you learned of the call? How did you learn about it? And what your response was?

MT: Um, I was at the Chili's at Warm Springs and the Boulevard with, uh, my partner, Officer Burns. And we were listening to our channel and the canine unit on our

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channel said, "I'm gonna switch over to convention center for the active shooter." And at that time we switched over and started listening to the radio traffic. And when we heard the frantic radio traffic going on we decided to respond to the scene. Um, we, uh, activated lights and sirens. Um, got down there as quickly as possible. We parked right in front of Mandalay Bay. The only information we had is there was a shooter. Someone was shooting in the area of the Boulevard and like Mandalay Bay in that area. We didn't know where. Um, both me and Officer Burns parked our cars in front of Mandalay Bay on the east side of the street. Um, when we, uh, exited our vehicle, um, I deployed my shotgun, uh, Officer Burns was behind in his vehicle. He was goin' to gear up with his rifle. At that time we heard, uh, automatic gun fire coming from the area, but we didn't know exactly where. Um, there was radio traffic that the - the, uh, gun fire was possibly coming from one of the rooms at Mandalay Bay. So at that time we took cover behind our cars and we were tryin' to assess where the gun fire was coming from. After probably about, mm, a couple of minutes - maybe a minute or two, um, we couldn't locate exactly where the gun fire was coming from. Um, I said to Bur- Officer Burns that we needed to move. We cannot sit - sit here. And - and notice that the gun fire wasn't - didn't appear to be coming to our direction. Even though we were in the line of fire. It - I - I didn't hear the gun fire come from overhead. And at that time I was like, "We need to get to Mandalay Bay. We cannot sit here behind cover if the guy's continuing to shoot." So once there was a lull in the action, um, I went over to Officer Burns' car and just - when the shooting stopped we decided to run across the Boulevard towards Mandalay Bay as quickly as

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possible. And that's what we did. We took off on foot. Sprinted across the Boulevard and I was with another - I briefly lost contact with Officer Burns and I was with another officer. And we got to one of the driveways - there was like an overhang at the entrance of Mandalay Bay once we got some cover. We had kinda caught our breath up, uh, waited a few moments. Officer Burns came with another officer - I'm not sure who it was. And we grouped up and then we went to the lobby of the Mandalay Bay. Um, while we're in Mandalay Bay we tried to make contact with security to try to figure out what floor the active shooter was on. At that time they told us there was possibly two shooters on floor 29 and 32. Um, we waited a few moments we were tryin' to assess if the guy was still shooting while we were inside the hotel. To determine what our response would be if we were goin' to wait for more resources or ass- or go to threat immediately. Um, at that time I was asking for - I believe I asked for - we - you know, for more rifles. We need more rifles down here. And we also needed to send a unit to the surveillance room to see if we can get any surveillance. Um, I think - yeah, one of the officers that was with us decided to go to the surveillance room. Uh, myself and Officer Burns and I believe Sergeant Matchko and another female officer - I don't know her name. Um, decided that we were gonna start - we were goin' to go to, uh, floor 29 first. Um, but we decided that we should go to 28 and then use the stairs to go to 29. So we took the elevator up. We got to 28 we took the stairs to 29. We - we held the hallway, um, at that point I decided we need to at least take a room for more cover in case there is a shooter down here so I kicked the door of the suite behind us. I'm not sure what room number it was. We

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cleared that room and we exited. I tried to kick another door to one of the side rooms, but I was unable to successfully make entry. Um, after several moments we determined that there was no shooter on 29 and that the real shooter was on 32. I believe another officer came to us and said we need to go to 32. Um, at that time we went with the other officers to floor 32. We met in the middle lobby which has access to the three hallways. And we grouped up there. Um, I saw that there were officers half way down the hallway already holding the room. Um, we spoke with security and they said, "Yes, there was a security officer that was walking down the hallway and was shot by the suspect through the door of the suite, um, at the end of the hallway." He also gave us information that the stairwell was barricaded which is located next to the suspect room. Um, at that time there was more officers arriving. There was a S.W.A.T. officer who arrived. I'm not sure what his name was. Um, he arrived and the plan was determined that we were gonna go one level below and then we're gonna go down the hallway and take the stairway to, um, that stairwell up to where the suspect room was located. So myself - it was probably ten officers - nine or ten officers, um, went the floor below. We went down the hallway into the stairwell. Um, we stood by momentarily - we - we try - we broke a couple of lamps tryin' to give us more cover. Um, the, uh, S.W.A.T. officer, um, breached the first door that was, uh, I guess had an L-bracket on it. Um, he opened the second door and he had a breaching charge, which he, uh, placed on the door. Um, plan was we were gonna blow the door. Um, I was behind them and the officers behind them I was only armed with my shotgun at that time. That if - due to the number of officers

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we did not want to be too close together at that time. We kinda wanted to be far apart in case the suspect decided to shoot once the breach was done. And that if any officers were hit we were goin' to evac - evac - and we'd go up there and grab them and get them outta there. Because we were - half our - half the officers there were not - did not have ample fire power to engage a suspect with automatic weapons. So, um, the S.W.A.T. officer blew the door, um, assessed and I believe the first - I'm not sure how many - there was a canine officer there that was - had a rifle. And I'm not sure if another S.W.A.T. officer - I'm not sure. There was three of them that went in there. And, uh, went in to clear the room. We moved up into the - the stairwell. A few of us holding the doors open and we believe that the suspect also had access to one of the side rooms. So the room across the hallway we covered while they cleared the room. Um, we held that for a few moments. We did hear that they said that there was a suspect down. And that they needed another breaching charge. So at that time they went back into the hallway. I grabbed a breaching charge got it up. They, uh, applied it - I'm not sure where they applied it in the room, uh, they detonated that breaching charge. And cleared I guess the rest, uh, the, uh, secondary room of the - the other room. Um, during that time I'm not sure exactly when they were clearing or at the end or when the breaching charged, but I did hear three gun shots. Um, I did not know who fired. I never got that information. I had no idea if they shot the suspect or I - I'm not sure what happened when I heard those gunshots. Um, at that time once they said that those rooms were cleared. The rest - we met up with the rest of the officers that were coming down the

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hallway. Um, I briefly stepped into the sus- suspect's, um, suite - for momentarily I stu- I think I took a step in. I took a look around. Um, at that time, uh, it was decided that they were gonna start clearing all these rooms in this hallway. So they were gonna start doin' that as a team. Um, there were several officers there at that time. And we were listening to the radio. We also heard that there was possibly, uh, another active shooter at the Paris. So a groups of officers with myself, um, decided to say that this scene upstairs was static. That they were just clearing rooms and they had ample - ample officers to take care of that. That the rest of the officers, um, to redeploy to another area on the strip if - if there were other suspects or active shooters. Um, I went downstairs to the valet. I made contact with, um, there was a captain. I'm not sure his name. And he wanted to setup the command post, uh, in the valet of Mandalay Bay. He instructed me to get my patrol car, which I did. It was still parked on the strip where I'd left it. Um, when I came back to the command post the captain, myself, and another, uh, Officer Liske, I believe his name is, um, he wanted us to, um, standby at the west valet. We deployed to the west valet and that's where we spent most of the night until we were deployed back to South Central for another assignment.

BP: All right. Now, um, Burns what's his first name?

MT: Jacoby?

BP: You know his P# ?

MT: I think it's 9805 - I believe,

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BP: All right. So you guys are just at - at dinner. Your K9 your channel.

MT: Yeah, we're just in the parking lot eating in the car. Just chillin' - waitin'..

BP: Okay.

MT: ...so.

BP: And it's your K9 from your channel say, "Hey, I'm switching over to convention center for the active shooter."

MT: Yeah.

BP: You guys' switch over. You hear just the chaos over the radio.

MT: Mm-hm..

BP: Like, we're rollin'.

MT: Yes.

BP: Um, as you get - as you guys get to - in front of Mandalay Bay, um, were you - you guys were parked south of Mandalay Bay Drive?

MT: Yes, we're - we're south of.

BP: So it's like over there by the McDonald's and all that stuff like...

MT: No, it's - it's, you know, the, uh, dirt lot. You know where that old ferris wheel they were gonna...

BP: Yeah.

MT: ...build there? There - we were right in front of that.

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BP: Okay, so - so you're parked in front of the east side of the street.

MT: Mm-hm.

BP: Um, you grab your - your gauge. Burns grabs his rifle.

MT: Yeah.

BP: And you guys are behind cover tryin' to assess where the gun fire is coming from 'cause it's still so much confusion...

MT: Yes.

BP: ...as to where it is. Um. while you guys are back there you can hear the automatic gun fire.

MT: Mm-hm.

BP: Um, could you tell, like was it just - rapid automatic, like, multiple bursts with breaks in them or was it just continuous?

MT: It was pre- it seemed pretty continuous. There was some breaks, but it - it seemed continuous. So...

BP: The automatic gun fire that you were hearing was it, uh, consistent, like the same caliber sound the entire time or were there times where it was larger caliber?

MT: I'm - I'm not great with that. So I couldn't tell you if it was different calibers or not.

BP: Okay. But you were hearing was just the automatic gun fire the whole time? Do you remember hearing any like louder consistent slower shots?

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MT: Yes, I mean it did - it did fluctuate...

BP: Okay.

MT: ...somewhat...

BP: Okay.

MT: ...so,

BP: Um, so when there was a lull in the - in the gun fire, um, you guys decide, "Hey we're not taking rounds yet." Um, were you aware of other officers that were taking rounds?

MT: Um, I mean I was aware that there were - the rounds were hitting, uh, north of us. More the intersection and more towards the crowd. That's what I believe - that's where I believe the rounds are going.

BP: Okay.

MT: We heard traffic that the rounds were goin' still in that direction.

BP: Okay.

MT: So.

BP: So you guys decide, "Hey we're behind cover. The rounds - we're not taking rounds now. We need to get to better cover." So when there's a lull - a break you guys head towards Mandalay Bay.

MT: Yes.

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BP: Get up towards, um, the valet area. While running you guys get separated. But, you happen to meet up with another officer when you finally get to the overhang. The four of you meet up - catch your breath. Say, "Okay, we're goin' in."

MT: Yeah.

BP: Um, you go in. Meet up with security. You guys start formulating a plan.

MT: Mm-hm.

BP: Like, do we - let's get more resources at least get 'em this way more rifles 'cause you know...

MT: Yeah - yeah.

BP: ...somebody has an automatic weapon.

MT: We thought they may be coming down...

BP: Yeah.

MT: ...to the lobby. I mean...

BP: So you guys are planning for if he comes down we need more equipment - more guns - more people...

MT: Mm-hm.

BP: Um, get somebody in surveillance to start finding cameras - start working that.

MT: Mm-hm.

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BP: So you guys' are doing a whole bunch of planning right there w- as - as more resources show up, um, security is telling you maybe 29 - maybe 32 - possibly both.

MT: Yeah.

BP: So Sergeant Matchko shows up. Other officers, you know, like - let - let's go.

MT: Mm-hm.

BP: Get in an elevator. You take it up to 28 - take the stairs to 29. Start - assess - boot a door to get out of the hallway - out of the fatal funnels.

MT: Mm-hm.

BP: Um, clear that room. Still assess - tried to check another room. Can't get it and then information is updated we need to get to 32 - the shooter is on 32.

MT: Yes.

BP: You make your way up to 32. Um, you start - you start - went to stop on 31 take the stairs to 32 or...

MT: Y...

BP: ...right to 32?

MT: Yeah - yeah I don't think we took the elevator. I - I can't...

BP: Uh...

MT: I can't remember if we took the elevator or the stairs...

BP: No worries.

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MT: ...so.

BP: You get to 32. So you're in the central area - the hub.

MT: Yes.

BP: Um, there is officers - that you see officers down the hallway about half way down of our target hallway.

MT: Yes.

BP: So they're covering that. Um, by that time S.W.A.T. shows up. You got - you got an operator with you. Um, K9 guys with you. And it's like, "Hey, you know, we need to get down there." There's - you no there's a doorway right there.

MT: Mm-hm.

BP: You guys go down to 31 work the hall. Um, you got information that - from security that he had barricaded the door. So you guys enter the stairwell from 31. Get up - S.W.A.T. breaches the door - mechanically breach it with a tool.

MT: Yes.

BP: ...or whatever.

MT: Yeah - he had a tool so.

BP: So he pops it with a tool. Um, you guy's take out some of the lights to give you concealment. Um, S.W.A.T. opens the door places a breaching charge. Plan is breach - guys with long guns will breach assess. Long guns will enter - most fire power. You guys are gonna hold if people start - you guys - and if anyone was takin'

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rounds evac out - hold. And then when the breach goes off - Rifles go in they announce suspect down. Um, you guys are holding 'cause you're watching the other door. That's right next to it. That's across from the door from the stairwell. He - S.W.A.T. calls for another breach. The breachin' bag is right there where - close to you.

MT: It was in the hallway just one of - one of the charges...

BP: Okay.

MT: ...was just out in the stairwell.

BP: Okay, so you grab the breach - take it into the room or give it to S.W.A.T. There's the second breach, um, they clear that room. Uh, you briefly make - make entry - just check everything out. Make sure, you know, everything's secure in there. And then after that - again, you know, you're hearing radio traffic - active shooter at Paris. Um, there's tons of cops up here already. This guys - we - as they make the plan to start clearing the rooms. You decide with other officers that's - it's in everyone's best interest or abilities to get back down for redeployment to start working these other active shooter calls. As you get back down to the lobby. Get out to valet this captain down there wants to set up C.P. down there. Tells you, "Hey, go get your car." You go get it. As you're bringing it up they tell you, "Hey, go deploy over at the west valet and hold there." Which is where you spent the night for the most part.

MT: Mm-hm.

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BP: Um, while you were actually on 29 and then working your way up to 30 - 31 - 32 - did you hear any more gun fire while you were actually on this part of the hotel or was it kinda muffled?

MT: I didn't hear - no, I didn't hear any.

BP: Okay.

MT: When we were on the - when we were initially at 28 - and got to 29 I didn't hear any gun fire.

BP: Okay. And when you guys were up there was there anymore radio traffic about shots still being fired from that area?

MT: That - at that time no.

BP: Okay.

MT: I didn't hear any traffic.

BP: Okay.

MT: And that's kinda what we're talking about. At that time the difference between if he's shooting we need to go as opposed to right now we're in containment. We need to get more resources...

BP: Yeah.

MT: ...up here. 'Cause we're in containment mode if he's not firing...

BP: Okay.

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MT: ...so.

BP: Um, you know, with this being so dynamic and, you know, this guy's throwing automatic weapon fire when S.W.A.T. gets there it's like, "Hey, you know, we need to make sure this over."

MT: Mm-hm.

BP: And did you see the suspect when he was down when you went in the room or did you...

MT: No.

BP: Okay.

MT: I peeked in the - just kinda the whatever the entry room is. I kinda peeked in I saw a - what appeared to be an automatic weapon or rifle on the ground. And that was the extent of it.

BP: Okay.

MT: At that point I didn't want to enter the scene after they already cleared. There was no reason for me to be in there.

BP: Okay.

MT: So I stepped out...

BP: Okay.

MT: ...so.

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BP: All right, you just kinda stuck in the foyer area.

MT: Yeah.

BP: While the rest of the guys - they had cleared it.

MT: Mm-hm.

BP: And then it's like, "Okay, hey we got other stuff goin' on let's get down. Let's clear this. Let's get outside. Let's go start working these other scenes."

MT: Yes.

BP: All right. Um, as you're down - down the street and you're hearing the automatic gun fire and, you know, people are hit. Um, what's your mindset going at that time. I mean is this like - were you concerned he's gonna suddenly track and see your cars down there and...

MT: I - yes, that was a concern, but it was also that we need to get to this guy.

BP: Yeah.

MT: We have to stop this guy. We need to get over there. You know, 'cause we - no one really knew where it was coming from, but we knew - okay at least we know it's the hotel. It's coming from that hotel. And we had to get over there. We just - we can't - I can't - I'm like I'm not goin' to sit behind my car especially if we're not taking fire.

BP: Yeah.

MT: And we had no real cover besides our cars. So, um, I was like we need to go. Just get over there. So that - that's when we decided to hey, at least let's get over to the

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hotel. We know it's coming from there, you know, we need to find a way to go stop this guy. So...

BP: Okay, and then after the door was breached and then there, um, you heard, uh, three shots from inside the room. Um...

MT: Yes.

BP: ...you couldn't tell if it was suspect or officer. Um, was it suppressed gun fire or - or could you tell?

MT: I couldn't tell...

BP: Okay.

MT: ...(unintelligible).

BP: It - it was just three...

MT: Mm-hm.

BP: ...um, and nothing else after that. Did you discharge your firearm at any time?

MT: No.

BP: All right, is there anything else that you can think of that either I didn't ask you or something that you saw or heard during this event and you think, you know, it's important that - that we know?

MT: No.

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BP: All right, thank you. Uh, it's be the end of the interview. Same persons are present -
time is 1321.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT THE MANDALAY BAY RESORT AND CASINO, ROOM 32-125, 3950 S. LAS VEGAS BOULEVARD, LAS VEGAS, NV 89119, ON THE 3RD DAY OF OCTOBER 2017 AT 1321 HOURS.

BP: (NET TRANSCRIPTS)

FIT2017-032

Reviewed by B8884K

10-08-17